

Handgun Possession Rule Proposals

*These proposed changes were given preliminary adoption by the
Natural Resources Commission in November of 2006.*

The DNR has proposed rule changes that would allow an individual to carry a handgun on a DNR property as well as while hunting deer and turkeys and chasing raccoons, as long as the person has a valid unlimited license (also known as the personal protection license) to carry a handgun or is exempt from needing a license to carry a handgun (such as law enforcement officers). The individual has to comply with the laws governing the possession of a handgun. A handgun is defined as follows:

IC 35-47-1-6 "Handgun"

Sec. 6. "Handgun" means any firearm:

(1) designed or adapted so as to be aimed and fired from one (1) hand, regardless of barrel length; or

(2) any firearm with:

(A) a barrel less than sixteen (16) inches in length; or

(B) an overall length of less than twenty-six (26) inches.

As added by P.L.311-1983, SEC.32.

The proposed changes are summarized as follows:

1. Allows a person to carry a handgun for the purpose of personal protection while on a DNR property.
2. Allows the adult that is accompanying the youth hunter to be able to carry a handgun while in the field with the youth hunter during the special youth deer hunting season. The adult could not carry any other firearm or weapon that could be used to kill a deer, and would have to have the unlimited handgun license for the purpose of personal protection.
3. Allows a person to carry a handgun for the purpose of personal protection while hunting deer during the firearms season. Certain handguns are already legal to use to take a deer, but some handguns would still be prohibited from being used to kill a deer due to their lack of power. An individual who only has the qualified (hunting and target practice) handgun license would still be able to use the handgun to take a deer with that qualified license, but it must be a handgun that meets the specifications in the rule in 312 IAC 9-3-3(f)(2). Since a person would be allowed to carry a handgun for the purpose of personal protection at any time of day while hunting deer, it is no longer necessary to require that the handgun not be concealed or that it be unloaded outside legal shooting hours.
4. Allows an individual to carry a handgun while hunting deer during the archery season. The individual could not carry any other firearm or weapon that could be used to kill a deer, just the handgun that is possessed under a valid unlimited (personal protection) license.
5. Allows an individual to carry a handgun while chasing raccoons and opossums during the dog running season (noon on Feb. 15 – noon on Oct. 14). The individual would not be able to carry any other firearm or weapon that could be used to take a raccoon or opossum, and would have to have the unlimited handgun license for the purpose of personal protection.
6. Allows a person to carry a handgun for the purpose of personal protection while hunting turkeys during the spring and fall seasons. A handgun is still not a legal weapon to use to take a wild turkey.

TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #06-

Amends 312 IAC 8-2-3 governing the possession of firearms on DNR properties; and portions of 312 IAC 9 governing hunting deer during special youth season; hunting deer by firearms; hunting deer by bow and arrows; raccoons and opossums; wild turkeys. Effective 30 days after filing with the publisher.

312 IAC 8-2-3
312 IAC 9-3-2.5
312 IAC 9-3-3
312 IAC 9-3-4
312 IAC 9-3-14
312 IAC 9-4-11

SECTION 1. 312 IAC 8-2-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-2-3 Firearms, hunting, and trapping

Authority: IC 14-10-2-4; IC 14-11-2-1

Affected: IC 14-22-11-1

Sec. 3. (a) A person must not possess a firearm or bow and arrows on a DNR property unless one

(1) of the following conditions apply:

(1) The firearm or bow and arrows are:

(A) unloaded and uncocked; and

(B) placed in a case or locked within a vehicle.

(2) The firearm or bow and arrows are possessed at and of a type designated for usage on:

(A) a rifle;

(B) a pistol;

(C) a shotgun; or

(D) an archery;

range.

(3) The firearm or bow and arrows are being used in the lawful pursuit of either of the following:

(A) A wild animal on a DNR property authorized for that purpose.

(B) A groundhog as authorized under a license.

(4) The person possesses a handgun:

(A) with a valid unlimited license to carry a handgun issued under IC 35-47-2-3;

(B) with a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or

(C) pursuant to an exemption to handgun licensure requirements as authorized under IC 35-47-2-2.

(b) Except as provided in subsection (a)(1) **or subsection (a)(4)**, a firearm or bow and arrows may not be possessed on DNR properties within any of the following:

(1) A nature preserve unless hunting is authorized under subsection (c).

(2) A property administered by the division of museums and historic sites.

(3) A campground.

(4) A picnic area.

(5) A beach.

(6) A service area.

(7) A headquarters building.

(8) A hunter check station.

(9) A developed recreation site.

(c) A person may hunt on a state forest administered by the division of forestry, a reservoir administered by the division of state parks and reservoirs, or a wildlife area administered by the division of fish and wildlife. A person using any of these areas must do the following:

- (1) Comply with all federal and state hunting, trapping, and firearms laws.
- (2) On a fish and wildlife area and a reservoir property, obtain a one (1) day hunting permit and record from a checking station. The person must:
 - (A) retain the permit and record card while in the field for the authorized date; and
 - (B) as directed, return them to the department.
- (3) Refrain from hunting on a nature preserve if prohibited by signage posted at the site.

(d) Unless otherwise posted or designated on a property map, a person must not place a trap except as authorized by a license issued for a property by an authorized representative. This license is in addition to the licensing requirement for traps set forth in IC 14-22-11-1.

(e) A person must not run dogs, except:

- (1) during the lawful pursuit of wild animals; or
- (2) as authorized by a license for field trials or in a designated training area.

A property administered by the division of fish and wildlife may be designated for training purposes without requiring a field trial permit. Only dogs may be used during field trials on a DNR property, except where authorized by a license on a fish and wildlife property.

(f) Unless otherwise designated, a person must not discharge a firearm or bow and arrows within two hundred (200) feet of any of the following:

- (1) A campsite.
- (2) A boat dock.
- (3) A launching ramp.
- (4) A picnic area.
- (5) A bridge.

(g) A person must not leave a portable tree blind or duck blind unattended except for the period authorized by 312 IAC 9-3- 2(l).

(h) The following terms apply to the use of shooting ranges:

- (1) A person must not use a shooting range unless the person is:
 - (A) at least eighteen (18) years of age; or
 - (B) accompanied by a person who is at least eighteen (18) years of age.

(2) A person must:

- (A) register with the department; and
- (B) pay any applicable fees;

before using a shooting range.

(3) A person must shoot only at paper targets placed on target holders provided by the department.

All firing must be downrange with reasonable care taken to assure any projectile is stopped by the range backstop.

(4) Shot not larger than size 6 must be used on a shotgun range.

(5) A person must not:

- (A) discharge a firearm using automatic fire;
 - (B) use tracer, armor-piercing, or incendiary rounds;
 - (C) play on, climb on, walk on, or shoot into or from the side berms; or
 - (D) shoot at clay pigeons, except on a site designated for shooting clay pigeons.
- Glass and other forms of breakable targets must not be used on a shooting range.

(6) A person must dispose of the targets used by the person under section 2(a) of this rule.

(7) Permission must be obtained from the department in advance for a shooting event that involves any of the following:

- (A) An entry fee.
- (B) Competition for any of the following:

- (i) Cash.
- (ii) Awards.
- (iii) Trophies.
- (iv) Citations.
- (v) Prizes.
- (C) The exclusive use of the range or facilities.
- (D) A portion of the event occurring between sunset and sunrise.
- (8) On a field course, signs and markers must be staked. Trees must not be marked or damaged.

(i) A person must not take a reptile or amphibian unless the person is issued a scientific collector license under 312 IAC 9-10-6. Exempted from this subsection are:

- (1) turtles taken under 312 IAC 9-5-2; and
- (2) frogs taken under 312 IAC 9-5-3;

from a DNR property where hunting or fishing is authorized. (*Natural Resources Commission; 312 IAC 8-2-3; filed Oct 28, 1998, 3:32 p.m.: 22 IR 739, eff Jan 1, 1999; filed Nov 5, 1999, 10:14 a.m.: 23 IR 553, eff Jan 1, 2000; filed Jun 17, 2002, 4:13 p.m.: 25 IR 3714; filed Sep 19, 2003, 8:14 a.m.: 27 IR 456; readopted filed Nov 17, 2004, 11:00 a.m.: 28 IR 1315; filed Sep 14, 2005, 2:45p.m.: 29 IR 461, eff Jan 1, 2006; filed Jul 11, 2006, 9:04 a.m.: 20060802-IR-12060009FRA*)

SECTION 2. 312 IAC 9-3-2.5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-2.5 Hunting deer during special youth season

Authority: IC 14-22-2-6

Affected: IC 14-22-11-1; IC 14-22-12-1; IC 14-22-12-7

Sec. 2.5. (a) This section is supplemental to section 2 of this rule and governs the activities of an individual youth who is either of the following:

- (1) issued a license to hunt deer under: ~~IC 14-22-12-1(a)(24)~~.
 - (A) **IC 14-22-11-10(b);**
 - (B) **IC 14-22-12-1(a)(24);**
 - (C) **IC 14-22-12-7(a)(4);**
 - (D) **IC 14-22-12-7(a)(5); or**
- (2) Hunting deer under IC 14-22-11-1; .

As used in this section, “youth” means an individual who is fifteen (15) years of age or younger by the date of the hunt.

(b) The season for hunting deer under this section is two (2) consecutive days beginning on the Saturday immediately before October 1 or as approved annually by the director.

(c) The seasonal limit for hunting deer under this section is one (1) antlerless deer.

(d) A youth who hunts a deer under this section must be:

- (1) fifteen (15) years of age or younger; and
- (2) accompanied by an adult of at least eighteen (18) years of age.

An adult accompanying the youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field and shall not be required to possess a deer hunting license.

(e) A youth hunter must not hunt deer except from one-half (½) hour before sunrise to one-half (½) hour after sunset.

(f) A youth hunter must not hunt deer unless wearing hunter orange. An adult accompanying the youth hunter must wear hunter orange while in the field.

(g) A youth must not hunt a deer under this section with any type of equipment except a firearm or bow and arrow, including a crossbow. A youth must not possess more than one (1) type of equipment to take a deer while in the field.

(h) ~~The following requirements apply to the use of firearms~~ **A youth hunter must not hunt deer** under this section **except with a shotgun or muzzleloading gun as follows:**

(1) A shotgun:

(A) must have a gauge 10, 12, 16, 20, or .410 bore loaded with a single projectile; and

(B) may be possessed in the field outside lawful shooting hours only if there are no shells in the chamber or magazine.

(2) A muzzle loading gun must be .44 caliber or larger, loaded with a bullet at least .357 inch or larger. A muzzle loading handgun must be single shot, .50 caliber or larger, loaded with bullets at least .44 caliber and have a barrel at least twelve (12) inches long. The length of a muzzle loading handgun barrel is determined by measuring from the base of the breech plug, excluding tangs and other projections, to the end of the barrel, including the muzzle crown. A muzzle loading gun must be capable of being loaded only from the muzzle, including both powder and bullet. A muzzle loading gun may be possessed in the field outside lawful shooting hours only if:

(A) for percussion firearms, the cap or primer is removed from the nipple or primer adapter; or

(B) for flintlock firearms, the pan is not primed.

(3) Over-and-under combination rifle-shotguns are prohibited.

(i) ~~The following requirements apply to the use of~~ **A youth hunter must not hunt deer** with archery equipment under this section **except as follows:**

(1) No person shall use a long bow or compound bow of less than thirty-five (35) pounds pull.

(2) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

(3) Poisoned or explosive arrows are unlawful.

(4) Bows drawn, held, or released other than by hand or hand-held releases are unlawful.

(5) A long bow or compound bow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.

(6) No portion of the bow's riser (handle) or any:

(A) track;

(B) trough;

(C) channel;

(D) arrow rest; or

(E) other device;

that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(j) The following requirements apply to the use of a crossbow under this section:

(1) No youth shall use a crossbow:

(A) of less than one hundred twenty-five (125) pounds pull; and

(B) that does not have a mechanical safety.

(2) A crossbow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.

(k) As used in this section, "crossbow" means a device for propelling an arrow by means of traverse limbs mounted on a stock and a string and having a working safety. The crossbow may be drawn, held, and released by a mechanical device.

(l) Notwithstanding subsection (d), the adult accompanying the youth hunter as authorized under this section may possess a handgun in accordance with IC 35-47 if the adult:

(A) has a valid unlimited license to carry a handgun issued under IC 35-47-2-3;

(B) has a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or

(C) is not required to possess a license to carry a handgun under IC 35-47-2-2.

(Natural Resources Commission; 312 IAC 9-3-2.5; filed May 9, 2006, 2:25 p.m.: 29 IR 2943)

SECTION 3. 312 IAC 9-3-3, AS PUBLISHED AS _____ IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-3 Hunting deer by firearms

Authority: IC 14-22-2-6

Affected: IC 14-22-11-1; IC 14-22-12-1; IC 35-47-2

Sec. 3. (a) This section is supplemental to section 2 of this rule and governs the activities of an individual who is either:

(1) issued a license to hunt deer by firearms under IC 14-22-12-1(a)(12), or IC 14-22-12-1(a) (15) during the season established in subsection (b); or

(2) issued a license to hunt deer by a muzzle loading gun or muzzle loading handgun under IC 14-22-12-1(a)(13) or IC 14-22-12-1(a)(16) during the season established in subsection (c); or

(3) issued a lifetime license under IC 14-22-12-7 prior to July 1, 2005 during the seasons established in 312 IAC 9-3-3(b) and (c); or

(4) issued a youth yearly consolidated hunting license under IC 14-22-12-1(a)(24); or

(5) hunting by the use of firearms under IC 14-22-11-1.

(b) The season for hunting deer with firearms is as follows:

(1) The firearms season using:

(A) shotgun;

(B) shotgun with rifled barrel;

(C) handgun;

(D) muzzle loading gun;

(E) muzzle loading handgun; or

(F) rifle, with the use of cartridges described in subsection (f) (4) only;

is from the first Saturday after November 11 and continues for an additional fifteen (15) days.

(2) The seasonal limit for hunting deer under this subsection is one (1) antlered deer.

(c) In addition to the season established under subsection (b), the season for using a muzzle loading gun or muzzle loading handgun only:

(1) extends from the first Saturday after the firearms season established under subsection (b); and

(2) continues for fifteen (15) additional days.

The seasonal limit for hunting deer under this extended season is one (1) deer of either sex.

(d) A person must not hunt deer except from one-half (½) hour before sunrise to one-half (½) hour after sunset.

(e) A person must not do the following:

(1) Hunt deer unless that person wears hunter orange.

(2) Possess bow and arrows while hunting under this section.

(f) ~~The following requirements apply to the use of firearms~~ **A person must not hunt deer** under this section **except with a shotgun, handgun or muzzleloading gun as follows:**

(1) A shotgun:

(A) must have a gauge 10, 12, 16, 20, or .410 bore loaded with a single projectile; and

(B) may be possessed in the field outside lawful shooting hours only if there are no shells in the chamber or magazine.

(2) A handgun must:

(A) conform to the requirements of IC 35-47-2;

(B) have a barrel at least four (4) inches long; and

(C) fire a bullet of two hundred forty-three thousandths (.243) inch diameter or larger.

All 38 special ammunition is prohibited. The handgun cartridge case, without bullet, must be at least one and sixteen-hundredths (1.16) inches long. ~~A handgun must not be concealed.~~ Full metal jacketed bullets are unlawful. ~~A handgun may be possessed in the field outside lawful shooting hours only if there are no shells in the chamber or magazine.~~ All 25/20, 32/20, 30 carbine, and 38 special ammunition is prohibited.

(3) A muzzle loading gun must be .44 caliber or larger, loaded with a bullet at least three hundred fifty-seven thousandths (.357) inch or larger. A muzzle loading handgun must be single shot, .50 caliber or larger, loaded with bullets at least .44 caliber and have a barrel at least twelve (12) inches long. The length of a muzzle loading handgun barrel is determined by measuring from the base of the breech plug, excluding tangs and other projections, to the end of the barrel, including the muzzle crown. A muzzle loading gun must be capable of being loaded only from the muzzle, including both powder and bullet. A muzzle loading gun may be possessed in the field outside lawful shooting hours only if:

(A) for percussion firearms, the cap or primer is removed from the nipple or primer adapter; or

(B) for flintlock firearms, the pan is not primed.

(4) A rifle must:

(A) fire a bullet of three hundred fifty-seven thousandths of an inch (.357) diameter or larger;

(B) have a minimum case length of one and sixteen hundredths (1.16) inches; and

(C) have a maximum case length of one and six hundred twenty-five thousandths (1.625) inches.

(5) Over-and-under combination rifle-shotguns are prohibited.

(6) Notwithstanding subsection (f)(2), a person may possess a handgun in accordance with IC 35-47 while hunting deer under this section if the person:

(A) has a valid unlimited license to carry a handgun issued under IC 35-47-2-3;

(B) has a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or

(C) is not required to possess a license to carry a handgun under IC 35-47-2-2.

(Natural Resources Commission; 312 IAC 9-3-3; filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 13, 1997, 12:09 p.m.: 21 IR 1272; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538)

SECTION 4. 312 IAC 9-3-4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-4 Hunting deer by bow and arrows

Authority: IC 14-22-2-6

Affected: IC 14-22-11-1; IC 14-22-12-1

Sec. 4. (a) This section is supplemental to section 2 of this rule and governs the activities of an individual who is either:

(1) issued a license to hunt deer by bow and arrows under IC 14-22-12-1(a)(14) or IC 14-22-12-1(a)(17), IC 14-22-12-1(a)(24), or IC 14-22-12-7 and is supplemental to section 2 of this rule; or

(2) hunting by the use of a bow and arrows under IC 14-22-11-1.

(b) The season for hunting deer by bow and arrows during the early bow season is from October 1 through the firearms season (set forth in section 3(b) of this rule) and during the late bow season from the first Saturday after the firearms season through the first Sunday in January.

(c) The urban deer season is from September 15 through the firearms season (set forth in section 3(b) of this rule) and during the late bow season from the first Saturday after the firearms season through the first Sunday in January.

(d) The seasonal limit for hunting under this section is one (1) deer of either sex. After August 31, 2007, a person must not take an antlered deer by means of a crossbow.

(e) A person must not hunt deer under this section except from one-half (½) hour before sunrise to one-half (½) hour after sunset.

(f) A person must not hunt deer under this section unless that person wears hunter orange. However, this subsection does not apply before the commencement of the firearms season set forth in section 3(b) of this rule and after the muzzle loading gun season set forth in section 3(c) of this rule.

(g) A person must not hunt under this section unless that person possesses only one (1) bow. A person must not possess a firearm while hunting under this section.

(h) ~~The following requirements apply to the use of archery equipment~~ **A person must not hunt deer under this section except with a bow and arrow as follows:**

- (1) No person shall use a long bow or compound bow of less than thirty-five (35) pounds pull.
- (2) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.
- (3) Poisoned or explosive arrows are unlawful.
- (4) Bows drawn, held, or released other than by hand or hand-held releases are unlawful.
- (5) A long bow or compound bow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.
- (6) No portion of the bow's riser (handle) or any:
 - (A) track;
 - (B) trough;
 - (C) channel;
 - (D) arrow rest; or
 - (E) other device;that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(i) Notwithstanding subsection (h), a person may use a crossbow to take a deer of either sex during the late bow season from the first Saturday after the firearms season through the first Sunday in January if the following restrictions are met:

- (1) No person shall use a crossbow:
 - (A) of less than one hundred twenty-five (125) pounds pull; or
 - (B) that does not have a mechanical safety.
- (2) A crossbow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.

(j) As used in this rule, "crossbow" means a device for propelling an arrow by means of traverse limbs mounted on a stock and a string and having a working safety. The crossbow may be drawn, held, and released by a mechanical device.

(k) Notwithstanding subsection (g), a person may possess a handgun in accordance with IC 35-47 while hunting deer under this section if the person:

- (A) has a valid unlimited license to carry a handgun issued under IC 35-47-2-3;**
- (B) has a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or**
- (C) is not required to possess a license to carry a handgun under IC 35-47-2-2.**

(Natural Resources Commission; 312 IAC 9-3-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 5, 1997, 3:25 p.m.: 21 IR 930; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed May 25, 2005, 10:15 a.m.: 28 IR 2945)

SECTION 5. 312 IAC 9-3-14 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-14 Opossums and raccoons

Authority: IC 14-22-2-6

Affected: IC 14-22

Sec. 14. (a) Except as provided in subsection (b), the seasons applicable to raccoons and opossums are as follows:

- (1) Hunting from noon on November 8 until noon on January 31 of the following year.
- (2) Trapping from 8 a.m. on November 15 until noon on January 31 of the following year.
- (3) Chasing from noon on February 15 until noon on October 14.

(b) A nonresident may hunt raccoons under subsection (a)(1) and may trap raccoons under subsection (a)(2) only to the extent that these raccoon seasons in the state of the nonresident are open to Indiana residents.

(c) A person must not possess a firearm, air rifle, or another device capable of taking a raccoon or opossum while chasing a raccoon or opossum during the chasing season established under subsection (a)(3).

(d) A person must not remove, attempt to remove, dislodge, or attempt to dislodge a raccoon from a tree hollow, hole, den, pocket, cavity, burrow, tile, or other place where the raccoon has secreted itself for security or protection or in which the raccoon maintains a nest or den.

(e) A person must not possess an opossum or a raccoon except from November 8 through February 20 of the following year.

(f) Notwithstanding subsection (c), a person may possess a handgun in accordance with IC 35-47 while chasing raccoons and opossums under this section if the person:

- (A) has a valid unlimited license to carry a handgun issued under IC 35-47-2-3;**
- (B) has a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or**
- (C) is not required to possess a license to carry a handgun under IC 35-47-2-2.**

(Natural Resources Commission; 312 IAC 9-3-14; filed May 12, 1997, 10:00 a.m.: 20 IR 2707; filed May 28, 1998, 5:14 p.m.: 21 IR 3714; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 540)

SECTION 6. 312 IAC 9-4-11, AS PUBLISHED AS 20060927-IR-312060193PRA, IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-4-11 Wild turkeys

Authority: IC 14-22-2-6

Affected: IC 14-22-11-1; IC 14-22-11-11

Sec. 11. (a) Except as provided in subsection (c), the spring season for hunting and possessing wild turkeys:

- (1) is from the first Wednesday after April 20; and

- (2) continues for an additional eighteen (18) consecutive days.
- (b) The fall season for hunting and possessing wild turkeys with a bow and arrows:
- (1) is from October 1 to the end of the fall turkey season with firearms, which begins on the first Wednesday after October 14; and
 - (2) continues for an additional four (4) consecutive days;
- except as provided in subsection (c).
- (c) The spring and fall seasons for hunting and possessing wild turkeys on Camp Atterbury shall be determined by the director on an annual basis to prevent interference with military training exercises.
- (d) The limit for taking and possessing is one (1):
- (1) bearded or male wild turkey during the spring season; and
 - (2) wild turkey of either sex during the fall season.
- (e) A person must not hunt wild turkeys except between one-half ($\frac{1}{2}$) hour before sunrise and sunset.
- (f) A person must not take a wild turkey except with the use of one (1) of the following:
- (1) A shotgun or muzzle loading shotgun:
 - (A) not smaller than 20 gauge; and
 - (B) not larger than 10 gauge;loaded only with shot of size 4, 5, 6, 7, or $7\frac{1}{2}$.
 - (2) A bow and arrows, including crossbows as defined in 312 IAC 9-3-4(j), with the following restrictions:
 - (A) A person must not use a:
 - (i) long bow; or
 - (ii) compound bow;of less than thirty-five (35) pounds pull.
 - (B) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.
 - (C) A person must not use a:
 - (i) crossbow of less than one hundred twenty-five (125) pounds pull;
 - (ii) crossbow unless it has a mechanical safety; or
 - (iii) poisoned or explosive arrow.
 - (D) No portion of a bow's riser (handle) or:
 - (i) track;
 - (ii) trough;
 - (iii) channel;
 - (iv) arrow rest; or
 - (v) other device;that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.
 - (E) Before or after lawful shooting hours, a person must not possess a:
 - (i) long bow;
 - (ii) compound bow; or
 - (iii) crossbow;in the field if the nock of the arrow is placed on the bow string.
- (g) A person must not hunt wild turkeys in the fall season except in a county the director designates on an annual basis by temporary rule or in the spring season in Henry county.

(h) The special youth season for hunting wild turkeys under this subsection is two (2) consecutive days beginning on the Saturday immediately before the start of the spring turkey season in subsection (a). As used in this subsection, “youth” means an individual who is less than sixteen (16) years of age on the date of the hunt. A youth who hunts a wild turkey under this section must be accompanied by an adult who is at least eighteen (18) years of age. **Except as provided in subsection (j),** an adult accompanying a youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field. The seasonal limit for hunting turkeys under this subsection is one (1) bearded or male wild turkey. A youth hunter who takes a turkey under this subsection must not take another turkey during the spring turkey season in the same year.

(i) The use of:

- (1) a dog;
- (2) another domesticated animal;
- (3) a live decoy;
- (4) a recorded call;
- (5) an electronically powered or controlled decoy; or
- (6) bait;

to take a wild turkey is prohibited. An area is considered baited for ten (10) days after the removal of the bait, but an area is not considered to be baited that is attractive to wild turkeys resulting from normal agricultural practices.

(j) A person must not possess a handgun while hunting wild turkeys **or while accompanying the youth hunter during the season established in subsection (h) unless the person possesses a handgun in accordance with IC 35-47 and:**

- (A) has a valid unlimited license to carry a handgun issued under IC 35-47-2-3;
- (B) has a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or
- (C) is not required to possess a license to carry a handgun under IC 35-47-2-2.

(k) Except as provided under IC 14-22-11-1 and IC 14-22-11-11, a person must not hunt:

- (1) wild turkeys unless possessing a completed and signed license bearing the person’s name; or
- (2) with a wild turkey license issued to another person.

(l) A piece of paper must, immediately after taking a wild turkey:

- (1) be attached to a leg of the turkey directly above the spur and
- (2) state the:

- (A) name and address of the person;
- (B) license number (if applicable);
- (C) date; and
- (D) sex;

of the wild turkey taken.

(m) A person who takes a turkey must do the following:

(1) Cause delivery of the turkey to an official turkey checking station within forty-eight (48) hours of taking for registration. After the checking station operator:

- (A) records the permanent seal number on the log; and
- (B) collects the piece of paper described in subsection (k);

the person is provided with that seal.

(2) Immediately and firmly affix the seal to the leg of the turkey as follows:

- (A) Directly above the piece of paper described in subsection (k) for a turkey taken during the spring season.
- (B) Through a section of skin or flesh to prevent its removal (without cutting the seal or the body part to which it is affixed) for a turkey taken in the fall season.

The permanent seal must remain affixed until processing of the turkey begins. The official turkey checking station operator shall accurately and legibly complete all forms provided by the department and make those forms available to department personnel on request.

(n) The feathers and beard of a wild turkey must remain attached while the wild turkey is in transit from the site where taken.

(Natural Resources Commission; 312 IAC 9-4-11; filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1533; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 541; filed May 25, 2005, 10:15 a.m.: 28 IR 2946)